

COASTAL CONSERVANCY

Staff Recommendation

March 26, 2015

FITCH MOUNTAIN PUBLIC ACCESS PLAN

Project No. 13-002-01

Project Manager: Michael Bowen

RECOMMENDED ACTION: Authorization to disburse up to \$150,000 to the City of Healdsburg to develop a public access plan for Fitch Mountain, Sonoma County.

LOCATION: Fitch Mountain, Healdsburg, Sonoma County

PROGRAM CATEGORY: San Francisco Bay Conservancy Program

EXHIBITS

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 et seq. of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to one hundred fifty thousand dollars (\$150,000) to the City of Healdsburg to develop a public access plan for Fitch Mountain in Healdsburg, Sonoma County, subject to the following conditions:

1. Prior to the disbursement of funds, the City of Healdsburg shall submit for review and approval by the Executive Officer of the Conservancy:
 - a. A work program including a schedule and budget for the project.
 - b. The names and qualifications of all contractors to be retained for the project.
 - c. Agreements or other assurance acceptable to the executive officer of the Conservancy that the City will have access to the property adequate to implement the project.”
2. The City of Healdsburg shall ensure that the plan is consistent with the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ and with all applicable federal and state statutes, regulations and guidelines governing access for persons with disabilities.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.”

PROJECT SUMMARY:

Staff recommends the Conservancy authorize the disbursement of up to \$150,000 to the City of Healdsburg (“City”) to develop a public access plan (“Plan”) for Fitch Mountain in Healdsburg, Sonoma County (Exhibit 1). The Plan will describe how Fitch Mountain will be improved in the future, and how public enjoyment of that resource will be directed so as to maximize public use and enjoyment of the area while protecting the surrounding natural resources.

In order to complete the Plan, and as part of this grant, the City will perform a series of tasks intended to help protect and enhance the natural habitat of Fitch Mountain under increased public use, including: 1) conduct vegetation surveys of the area and propose invasive species management approaches; 2) identify and plan public access around areas susceptible to erosion; and 3) identify opportunities for improving and expanding the existing trail network at the site. Many of these tasks will help the City to develop a strong environmental compliance document under the California Environmental Quality Act (CEQA) prior to the official opening of the area to public access.

To ensure that public access occurs in a way that protects and enhances the natural resources at the site, the Plan will provide criteria for the operations, maintenance, and management of the 198-acre property (“the Property”), as well as how the Property will be served by existing or modified parking, staging, picnicking and restroom facilities at the Villa Chanticleer, a City park and entertainment facility located at the base of the mountain. The City will also ensure that the Property is opened for public use within five years.

Fitch Mountain is officially closed to the public, although it is used unofficially and extensively by the public. The Villa Chanticleer, a City facility located at the base of the mountain, now serves as an informal staging ground to the top of Fitch Mountain. The Plan will help the City to formalize and improve upon the existing arrangement.

The City of Healdsburg recently acquired, via a phased acquisition, fee title to approximately 170-acres of the Property, then transferred that portion of the Property to LandPaths, a public-access oriented non-profit organization based in Sonoma County.

Because title to that approximately 170- acres will revert to the City within three years, and because the remaining portion of the 198 acres is planned to be acquired in Phase Two, the City is the appropriate party to prescribe the long-term management and public access needs of the Property as a whole. The City also possesses the adequate staff resources to complete the Plan, the City has a proven track record of administrative skills necessary for developing the project, and the Conservancy can grant to a public agency consistent with Public Resources Code 31017. As discussed under “Project History,” below, LandPaths has an excellent history of partnership

with both the City of Healdsburg and the Coastal Conservancy.

Site Description: Fitch Mountain is one of the most prominent physical landmarks found in northern Sonoma County. The mountain lies in an unincorporated area, but is surrounded by the City of Healdsburg and provides a scenic backdrop for the City and other communities along the Russian River. The heavily wooded mountain can be seen from a great distance in all directions, and it can be readily accessed from Highway 101 and downtown Healdsburg.

A 198 acre portion of Fitch Mountain (“the Property”) comprises the entirety of the wooded area on the mountain that has not been developed. 146 acres were encumbered with a District ‘forever wild’ conservation easement in 1994. The Property is in the unincorporated county, but is within the City’s Sphere of Influence, Urban Growth Boundary, and Urban Service Area.

The Property features oak and madrone woodlands, mixed conifer forest, coast redwoods, an intermittent creek and the mountain’s 991-foot peak. The Property can be accessed from Hilltop Road and Woods Road in Healdsburg, and there are three miles of unimproved dirt roads on the Property. There are no structures on the site, although it surrounds two water tanks owned by the City. The site has been used historically and unofficially by recreational hikers and other users. Other surrounding land uses include residences on the south, east, and north, with the Villa Chanticleer, a popular Healdsburg city park and conference center on the west of the Property.

Project History: The fee acquisition of Fitch Mountain has been a priority for both the District and the City for decades, but the recent acquisition is a somewhat complicated affair.

The Sonoma County Agricultural Preservation and Open Space District (“District”) first purchased a conservation easement over a majority of the Property in September, 1994. The negotiations between the District and the owners anticipated public use by including a permitted use in the conservation easement “to convey all or a portion of the property to the City of Healdsburg or other willing park or open space entity for the purpose of a park.” The District attempted to purchase the Property in fee in early 2003, but negotiations failed and the Property was sold to a private party. The District pursued discussions with the new owners culminating in a purchase and sale agreement in 2012. But complications continued.

A survey performed by the District in early 2013 revealed the existence of 23 encroachments on the Property. The encroachments ranged from gardens and brush removal to structural improvements. Some of the encroachments affect land subject to the Original Easement, which prohibits such uses of the Property. For liability reasons, the City made clear it will not accept fee title to any portion of the Property with encroachments, nor will the City accept the Property with pending easement violations. After extensive negotiations with the Seller in 2013 and 2014, District staff secured a new purchase agreement with the Seller which addresses these matters by accomplishing the acquisition in two phases.

The District acquired fee title to Phase One of the Property, comprising approximately 170 acres, in November 2014. The District quickly transferred that land to the City, which in turn transferred the land to the non-profit organization LandPaths. Landpaths executed an Irrevocable Offer to Dedicate the land to the City and the City plans to accept that offer after a three year period. The Seller has until June 2016 to resolve the encroachments on Phase Two of

the Property. When the encroachments are resolved, the City will acquire title to that additional land. The Phase One parcels are all that is needed for park development purposes.

Landpaths, for the time being, will manage the property on behalf of the City, while the City begins to prepare the Access Plan that is the subject of this grant. At such time as the Access Plan is complete and the site is ready to open officially, the City will serve as the lead agency under CEQA for adopting the Access Plan and any measures associated with that action.

LandPaths is a Sonoma County-based nonprofit organization specializing in connecting people of all ages with the county's natural and agricultural lands. The organization stewards public and privately owned wild lands for the benefit of public use and resource conservation. LandPaths has extensive experience in coordinating volunteers, performing trail maintenance and construction, watershed restoration, transitioning ranchlands into parkland, and managing open space preserves around the Sonoma County. In addition, LandPaths offers programs that provide public access on protected lands and has developed a number of educational programs that re-introduce the public to open spaces. LandPaths has partnerships with California State Parks, California Fish and Game, Sonoma County Agricultural Preservation and Open Space District (District), North Coast Water Quality Control Board, local municipalities (including the City of Healdsburg), county school districts and private landowners. LandPaths currently manages over 150 acres of Open Space for the City of Healdsburg and has so since 2008.

PROJECT FINANCING

Coastal Conservancy	150,000.00
City of Healdsburg	50,000.00
Total Project Costs	200,000.00

The anticipated source of Conservancy funds for this authorization is the 2013/2014 appropriation to the Conservancy from Proposition 40, "The California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002." These funds are allocated to the Conservancy for development, restoration and protection of land and water resources in accordance with the Conservancy's enabling legislation, Division 21 of the Public Resources Code. Public Resources Code section 5096.650(b).

The proposed project will help develop, restore, and protect land and water resources by preparing for the development of ecologically appropriate public access structures. The proposed project is consistent with the Conservancy's enabling legislation, as discussed in the "Consistency with Conservancy's enabling legislation" section of this report, below. The proposed authorization is thus consistent with Proposition 40.

Consistent with Public Resources Code Section 5096.651, which requires the Conservancy to give priority to projects with matching contributions, the various partners have made substantial contributions to the acquisition and long-term management of the Property, none of which have received Conservancy support. In addition to the \$1.8 million the District spent on the acquisition, the District will contribute up to \$250,000 towards operation and maintenance of the Property during the first three years. The City, for its part, intends to contribute \$100,000 towards operations and maintenance costs, and to raise an additional \$200,000 to contribute towards a management endowment for the Property. Additionally, the City will contribute

\$50,000 to the development of the Plan. It is probable that the City will seek additional funding, including from the Coastal Conservancy, to implement further enhancement measures at the site upon completion of the Plan. Fortunately, the major trail up the mountain already exists, so any anticipated Conservancy implementation costs are likely to be modest.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 4.5 of the San Francisco Bay Area Conservancy Program’s enabling legislation, Public Resources Code Sections 31160-31165, as follows:

Consistent with section 31162(a) the Conservancy may undertake projects and award grants in the nine-county San Francisco Bay Area that will help achieve the goals of the San Francisco Bay Area Conservancy Program, including improving public access to and around the bay, coast, ridgetops and open spaces. Sonoma County is one of the nine Bay Area counties, and the proposed project will serve visitors from the greater Bay Area, and many from nearby urban areas such as Santa Rosa. Consistent with Section 31162(d) the project will help provide accessible open space and natural areas to urban populations for recreational purposes.

Consistent with Section 31163 the Conservancy will cooperate with the City, the District and LandPaths to identify and adopt long-term resource and outdoor recreational goals for the San Francisco Bay Area at Fitch Mountain. Consistent with Section 31163(c), the project (1) is supported by the adopted local plan; (2) serves a multijurisdictional constituency; (3) will be timely implemented; (4) provides opportunities surely lost should the Property be kept closed to the public, and; (5) ensures significant matching funds such as those provided for the acquisition and management by the District and City.

Finally, Section 31111 allows the Conservancy to fund plans and feasibility studies, such as this public access plan.

CONSISTENCY WITH CONSERVANCY’S 2013 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 2 Objective E**, the City is exploring means to provide a river put in-take out adjacent to the Fitch Mountain property, thereby expanding opportunities for inland Russian River residents to access the lower Russian River facilities and the coast.

Consistent with **Goal 12 Objective A**, this project will develop a plan for a trail project that provides recreational facilities such as picnic and staging areas, parking lots, and interpretive signs.

Consistent with **Goal 12 Objective H**, this project will develop a plan for a regionally significant public access trail and a community connector between Healdsburg and the iconic Fitch Mountain.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Promotion and implementation of state plans and policies:**

By developing plans to restore enhance public access the proposed project serves to promote and implement the Conservancy's Strategic Plan goals while also advancing the goals of the following:

 - *California @ 50 Million: The Environmental Goals and Policy Report* (Governor's Office of Planning and Research, 2013 Draft) Chapter 4 – Goals for California's Future, which states that "investments in . . . safe, walkable communities are needed to provide viable alternatives to driving" in order to reduce greenhouse gas emissions (page 15).
3. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
4. **Support of the public:** The Fitch Mountain project has broad community support. There is strong support from the Sonoma County Board of Supervisors who voted unanimously in favor of purchasing the Property for public access and support from Healdsburg City Council who also voted unanimously in favor of accepting the Property with the purpose of opening it for public access. In addition, LandPaths supports the project by agreeing to serve as an interim owner and manager of the Property for the initial three years while the Property is prepared for public access and then transferred back to the City. The adjacent property owners have also voiced and shown strong support. The Fitch Mountain Fund has been established so that the public can donate money to help offset any unexpected expenditure or fund any newly proposed capital projects for public access purposes. To date the fund has commitments of over \$100,000 with a goal of raising \$200,000. Letters of support are attached as Exhibit 2.
5. **Location:** The proposed project is located in unincorporated portion of the county, but within the City's sphere of influence, immediately east of the City of Healdsburg's downtown in Sonoma County.
6. **Need:** Little public access to open space exists in Sonoma County immediately adjacent to the Highway 101 corridor and along the Russian River. This project offers an opportunity to serve both those who reside in or visit the Healdsburg area, as well as those who are simply passing through and seek an opportunity to enjoy a short hike and sweeping vistas of the Russian River and surrounding valleys. It is also an excellent opportunity to cooperate with the City and LandPaths in developing means to introduce currently underserved residents to new recreational opportunities in Sonoma County. Given the changing demographics of

Healdsburg and the surrounding areas, a growing number of underserved residents do not currently participate in wilderness park experiences, a trend that this project seeks to reverse. A goal of the Plan will be to formulate ways to open the Property for public access to traditionally underserved sectors of the public.

7. **Greater-than-local interest:** Healdsburg is an internationally recognized destination, and its proximity to Highway 101 affords an excellent opportunity to provide many different constituencies with a great and distinctly Sonoma County outdoor experience.
8. **Sea level rise vulnerability:** The project is significantly inland and at a high elevation so there is no sea level rise vulnerability.

Additional Criteria

9. **Resolution of more than one issue:** The development of the access plan will ensure that protection and enhancement of the site guides access actions, and that access is developed in a manner that does not adversely impact surrounding property owners. Despite longstanding development pressure, the City has recognized the Property's importance by designating it as Open Space and as a Major Scenic Ridgeline in the City's General Plan. The proposed project will ensure that the natural resources of the mountain are protected and enhanced while affording a significant increase in public access opportunity in and around the City of Healdsburg.
10. **Leverage:** See the "Project Financing" section above.
11. **Readiness:** With the first phase of the acquisition complete the major partners are anxious to open the area officially and responsibly. The planning process should begin promptly, and the City is willing and able to ensure prompt preparation of public access plan.
12. **Realization of prior Conservancy goals:** The proposed project will help the Conservancy and its partners realize its long-term goal of providing significant and well-spaced public access opportunities along the Russian River corridor. This effort is consistent with similar Conservancy access projects along the Russian River ranging from Cloverdale to Jenner.
13. **Minimization of Greenhouse Gas Emissions:** The grantee intends to incorporate various greenhouse gas emission strategies into the plan, such as providing bicycle parking, investigating shuttle service to the trailhead and other measures. Construction of any improvements will incorporate best available technology for reducing emissions.

COMPLIANCE WITH CEQA:

Preparation of the public access plan involves only data gathering, planning, and feasibility analyses for possible future actions and is thus statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code of Regulations Sections 15262. The project is also categorically exempt under Section 15306. Class 6 activities covered under Section 15306 consist of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded. Staff will file a Notice of Exemption upon approval.